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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,576	07/27/2000	Norman Hay	29752/36543A	9590

34431 7590 08/11/2004

GROSSMAN & FLIGHT, LLC  
20 N. WACKER DRIVE  
SUITE 4220  
CHICAGO, IL 60606

EXAMINER

MEINECKE DIAZ, SUSANNA M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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***37 CFR § 1.105 - Requirement for Information***

1. In response to Applicant's amendment filed October 16, 2003, the new Examiner of record has decided to withdraw the previously pending art rejection. However, in light of an updated search, the current Examiner deems a Requirement for Information under 37 CFR § 1.105 to be a prudent course of action at present.

2. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application. Please note that the Examiner has located information about the assignee, Renessen, on Cargill's web site [URL: [http://www.cargill.com/news/00\\_06\\_renessen2.htm](http://www.cargill.com/news/00_06_renessen2.htm)] under the heading "Renessen's Revolution" (attached as Appendix A). In this web page, several of the inventors of the instant application, including Norman Hay, Bruce Barnett, and Jeff Schlachtenhaufen, are mentioned as being both current employees of Renessen and former employees of Cargill. It appears that Renessen is a subsidiary, or somehow otherwise related company, of Cargill. Applicant is reminded that all related companies (e.g., parent companies and all subsidiaries) are responsible for fulfilling the requirement for information under 37 CFR 1.105 as well as the expressly named inventors and assignee.

3. The information is required to extend the domain of search for prior art. Limited amounts of art related to the claimed subject matter are available within the Office, and

are generally found in class 705 and subclasses 7-10, which describe general operations of an organization. A broader range of art to search is necessary to establish the level of knowledge of those of ordinary skill in the claimed subject matter art of providing subsidiaries to farms in an effort to encourage the harvesting of alternate crops. The Examiner has located many articles about government farm subsidy programs, including the various U.S. farm bills of 1990 and 1996. These same articles mention Cargill as a recipient of many of the subsidies. Cargill also has a subsidiary called Cargill Risk Management Products Group that specializes in mitigating risk normally associated with the harvesting of certain crops (discussed in attached Appendix B). In other words, Cargill and its subsidiaries (or related companies) seem to have a firm grasp on how subsidies are doled out to different farms (as exemplified by the numerous articles mentioning Cargill and farm subsidies found in attached Appendices C-I). The Examiner requests documentation of how the subsidy programs in which the assignee (and/or related companies) have participated are run, including information regarding how a source of subsidies selects who will receive the actual subsidy funds and how much each will be paid. Furthermore, was this selection process performed manually by any entity and, if so, by whom and how? Has there ever been an automated or computer-based version of at least part, if not all, of the farm selection process, especially as it is recited in the claimed invention? If so, how does it compare to the functionality of the claimed invention? Does the Applicant or assignee have a working model(s) of the claimed invention, either in part or in its entirety? If so, what is the name of this working model(s)? Has Applicant or assignee disclosed to the

public any aspects of the claimed invention, either in part or its entirety? What laws or government-sponsored or industry-sponsored programs throughout the world is Applicant or assignee aware of that make a determination of how and to whom incentives to grow alternate crops are given? This may include crop replacement programs, subsidies to plant more environmentally friendly crops, subsidies not to plant certain crops (e.g., drugs, fruits, vegetables, etc.), etc.

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4. In response to this requirement, please provide the citation and copy of each publication that is a source used for the description of the prior art in the disclosure. For each publication, please provide a concise explanation of that publication's contribution to the description of the prior art.

In response to this requirement, please provide the citation and a copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to developing a selection process for selecting the recipients of subsidies or incentives to grow an alternate crop. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

5. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are

included in the applicant's first complete communication responding to this requirement.

Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

6. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

### ***Conclusion***

7. This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of TWO (2) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:


**Commissioner for Patents  
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or faxed to:

**(703) 872-9306** [Official communications; including  
After Final communications labeled  
"Box AF"]

**(703) 746-7048** [Informal/Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 22202, 7<sup>th</sup> floor receptionist.

  
Susanna M. Diaz  
Primary Examiner  
Art Unit 3623  
August 9, 2004

  
**TARIQ R. HAFIZ**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600